In re Patent Application of:
ROY
Serial No. **10/777,871**
Filing Date: **February 12, 2004**

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REMARKS

Claims 1-33 remain in this application. No claims have been cancelled. Claims 1, 12, 18, 24 and 29 have been amended.

Applicant thanks the Examiner for the detailed study of the application and prior art and notes the rejection of claims 1, 3-4, 7-12, 14-15, 18, 20-21, 24, 26, 29 and 31 as anticipated by U.S. Patent Publication No. 2003/0004955 to Cedola et al. (hereinafter "Cedola") and other claims as obvious over Cedola in view of U.S. Patent Publication No. 2003/0019812 to Board et al. (hereinafter "Board").

Applicant has amended the claims to place the case in condition for allowance such that the independent claims now recite that the polling occurs even when there is no communication with the mobile wireless communications device to maintain UID's current to within a polling interval and reducing latency when communication occurs. This is clearly explained on pages 39-43 of the instant application. No new matter has been added.

It should be understood that the type of polling is a key differentiator between the claimed invention as now presented in this Amendment and Cedola. The system as now claimed uses polling to keep its database of UID's current, whether or not there is any traffic communication to and from the mobile wireless communications device. This background activity as polling enables the system to "reduce latency" when a mobile wireless communications device is active and connected. Thus, the database of UID's is always kept current to within the polling interval, whether or not a client or mobile wireless communications device is in communication.

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This background activity reduces access latency when the client or mobile wireless communications device does connect.

Cedola discloses a system and method for translating events identified as "change" events in a replication protocol to "add" events in another replication protocol. There are some modifications of a manifest that uses a data store. A "sync state table" such as shown in FIG. 5 can store UID's in the Cedola system. It should be understood that there is no polling or other background activity in Cedola to maintain a list of UID's current. The only time that the sync state table is updated is at the end of a sync operation as noted in paragraph 5 on page 1, at the last four sentences, and more particularly, the last sentence which states: "When the manifest has been fully processed, the sync state table is persisted for future use." This will not reduce access latency, one goal of the claimed invention as presented in this Amendment. Indeed, the stored UID list contains nothing of interest to the client or mobile wireless communications device because it has been updated since the last sync.
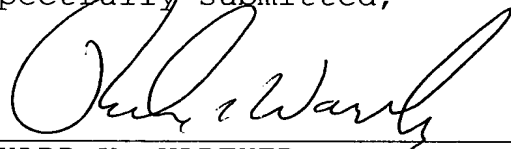
As to Board, it may send alert notifications to mobile wireless communications devices upon detecting new data files and have some synchronization, but it does not disclose or suggest the claimed invention as now presented in this Amendment wherein polling occurs even when there is no communications with a mobile wireless communications device to maintain UID's current within a polling interval and reduce latency when communication occurs. Indeed, Board teaches that there must be communications or connection with the client, and thus, Board teaches opposite from the claimed invention as now presented in this Amendment.

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      Applicant contends that the present case is in condition for allowance and respectfully requests that the Examiner issue a Notice of Allowance and Issue Fee Due. If the Examiner has any questions or suggestions for placing this case in condition for allowance, the undersigned attorney would appreciate a telephone call.

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Respectfully submitted,

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CERTIFICATE OF MAILING
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      I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: **MAIL STOP AMENDMENT, COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450,** on this ___*1st*___ day of November, 2005.